

## **Failure To Notify Physician: Nurses Held Partially Responsible For Patient's Death.**

The patient was admitted to a hospital med/surg unit during the early a.m. hours after being brought to the E.R. by ambulance for severe abdominal pain.

Her medical history included bariatric surgery, cesarean delivery of twins and gallbladder removal.

That afternoon an internist wrote an order for a surgical consult. The patient's nurse spoke with a surgeon who agreed he would accept the consult. He did not intend to come in to see the patient until the next a.m., and he told the nurse to have him contacted if the patient's condition became unstable before then.

During the night the patient had to be transferred to the ICU, but neither the nurses or the residents on duty notified the surgeon of that development.

The patient's mother called the surgeon at 7:00 a.m. The patient arrested at 8:45 a.m. A laparoscopy was done on the comatose patient at 11:45 a.m. for a bowel herniation. The patient never awoke from coma and died twenty-one months later.

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***A patient with a history of multiple abdominal surgeries is at risk for bowel herniation and ischemia, which can require prompt surgical intervention.***

CIRCUIT COURT  
MIAMI-DADE COUNTY, FLORIDA  
October 30, 2009

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The jury in the Circuit Court, Miami-Dade County, Florida awarded a verdict which placed 15% of the liability for the patient's death on the hospital's nurses for failing to notify the surgeon of the change in the patient's status during the night.

Most of the blame went to the physicians for failing to go forward sooner with the surgical consult and the laparoscopy. **Estate of Brown v. Martinez, 2009 WL 4808541 (Cir. Ct. Miami-Dade Co., Florida, October 30, 2009).**